



PUBLIC NOTICE

Federal Communications Commission
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Released: December 22, 2005

BELLSOUTH TELECOMMUNICATIONS, INC. PETITION FOR FORBEARANCE FROM THE COMMISSION'S COST ASSIGNMENT RULES

PLEADING CYCLE ESTABLISHED

WC Docket No. 05-342

COMMENTS: January 23, 2006

REPLY COMMENTS: February 13, 2006

On December 6, 2005, BellSouth Telecommunications, Inc., on behalf of itself and its affiliates ("BST" or "BellSouth") filed a petition pursuant to section 10 of the Communications Act of 1934, as amended ("the Act"),¹ asking the Commission to forbear from enforcement of certain of the Commission's cost assignment rules. Specifically, BellSouth seeks forbearance from the following rules: Parts 32.23 (Nonregulated activities), 32.27 (Transactions with affiliates); 64 Subpart I (referred to as "cost allocation rules"); Part 36 (referred to as "jurisdictional separations rules"); Part 69, Subparts D and E (referred to as "cost apportionment rules"); and other related rules that are derivative of, or dependent on, the foregoing rules.² The petition also seeks limited forbearance from section 220(a)(2) of the Act to the extent this provision contemplates separate accounting of nonregulated costs.³

Interested parties may file comments on or before **January 23, 2006**, and reply comments on or before **February 13, 2006**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.⁴ Comments filed through

¹ 47 U.S.C. § 160.

² See 47 C.F.R. §§ 32.23, 32.27, 64 Subpart I, 36, and 69 Subparts D and E.

³ 47 U.S.C. § 220(a)(2).

⁴ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number, in this case, **WC Docket No. 05-342**. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). **Parties are strongly encouraged to file comments electronically using the Commission's ECFS.**

The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002.

- The filing hours at this location are 8:00 a.m. to 7:00 p.m.
- All hand deliveries must be held together with rubber bands or fasteners.
- Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, Room TW-A325, 445 12th Street, SW, Washington, D.C. 20554. Parties should also send a copy of their filings to Ron Kaufman, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 6-C144, 445 12th Street, SW, Washington, D.C. 20554, or by e-mail to ronald.kaufman@fcc.gov. Parties shall also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

The petition for forbearance and comments filed by participating parties will be available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, D.C. 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, or by e-mail at fcc@bcpiweb.com.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁵ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-

⁵ 47 C.F.R. § 1.1200 *et seq.*

sentence description of the views and arguments presented generally is required.⁶ Other requirements pertaining to oral and written presentations are set forth in section 1.1206(b) of the Commission's rules.⁷

For further information, contact Ron Kaufman of the Pricing Policy Division, Wireline Competition Bureau at (202) 418-7148.

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⁶ See 47 C.F.R. § 1.1206(b)(2).

⁷ 47 C.F.R. § 1.1206(b).